

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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US BANK, NATIONAL ASSOCIATION,

Plaintiff,

Case No. 13-civ 7626 (NRB)

-against-

COMMONWEALTH LAND TITLE INSURANCE  
COMPANY,

Defendant.

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COMMONWEALTH LAND TITLE INSURANCE  
COMPANY,

Third-Party Plaintiff,

**Hon. Naomi Reice Buchwald**

-against-

ANM FUNDING LLC, ABE KLEIN, NOAH  
HERSHKOVITZ, LEAH HERSHKOVITZ, TSVINY  
HERSKOVITZ, LOWENTHAL & KOFMAN, P.C.,  
MARTIN KOFMAN, NORMAN TEPFER, SAMUEL  
GLUCKMAN and ROLAND FIELDS,

Third-Party Defendants.

**DECLARATION OF**  
**ANASTASIOS P.**  
**TONOREZOS**

----- X  
ANASTASIOS P. TONOREZOS, declares, pursuant to the provisions of 28 U.S.C.

§ 1746:

1. I am a member of the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, attorneys for third-party defendants Lowenthal & Kofman, P.C., Martin Kofman, and Norman Tepfer (the "Lowenthal Defendants"). I am fully familiar with the facts and circumstances of this case and the file maintained in my office.

2. This declaration is submitted, together with the exhibits annexed hereto and the Memorandum of Law, in support of Lowenthal Defendants' motion for an Order dismissing

the claims asserted against him in the third-party complaint with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6); and such other further and different relief as this Court deems just and proper.

3. Attached hereto are true and accurate copies of the following exhibits:

**Exhibit A:** Third-Party Plaintiff's Complaint dated August 11, 2014;

**Exhibit B:** Plaintiff's Complaint dated October 28, 2013;

**Exhibit C:** Defendant/Third Party Plaintiff's Answer dated December 12, 2013.

**WHEREFORE**, it is respectfully requested that this Court grant the motion of third-party defendants Lowenthal & Kofman, P.C., Martin Kofman, and Norman Tepfer seeking an order dismissing the third-party complaint filed by Commonwealth Land Title Insurance Company pursuant to Federal Rule of Civil Procedure 12(b)(6); and granting such other, further and different relief as this Court deems just and proper.

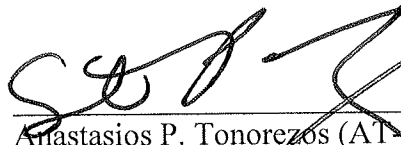
Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
December 22, 2014

Yours etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By:



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